

## JOURNAL OF THE HOUSE.

---

Monday, August 22, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, Our Creator, Creator of the Universe and the Lord of History, we place our confidence and trust in You as we struggle, even with Your assistance, to respond conscientiously to the needs of the people and our communities in these changing times. Today's legislative challenges, opportunities and needs are not necessarily the same as yesterday's. Inspire us to evaluate today's issues and our realistic options carefully and critically in our effort to do what is right and just. Help us to promote causes, goals and values which unite all people in our diverse communities in advancing goals, high ethical standards and good citizenship. May our creative planning for the future help us build a better world for tomorrow and tomorrow's generations.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

### *Message from the Governor.*

A message from His Excellency the Governor submitting requests for making appropriations for the fiscal year 2005 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4346) was filed in the office of the Clerk on Thursday, August 18.

Supplemental  
appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

### *Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Smola of Palmer) on the occasion of the retirement of firefighter and dispatcher Emmett F. Ahearn; and

Emmett F.  
Ahearn.

Resolutions (filed by Messrs. Stanley of Waltham and Koutoujian of Waltham) congratulating Matthew Rice on receiving the Eagle Award of the Boy Scouts of America;

Matthew  
Rice.

Mrs. Harkins of Needham, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Peterson of Grafton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*

Petitions severally were presented and referred as follows:

Hanover,  
conservation  
commission.

By Mr. Nyman of Hanover, petition (accompanied by bill, House, No. 4349) of Robert J. Nyman and Robert S. Creedon, Jr. (by vote of the town) relative to authorizing the appointment of two associate members of the conservation commission in the town of Hanover. To the committee on Municipalities and Regional Government.

Worcester,  
civil  
service.

By Mr. Leary of Worcester, petition (accompanied by bill, House, No. 4348) of James B. Leary, Timothy P. Murray (mayor) and Michael V. O'Brien (city manager) (with the approval of the city council) relative to the civil service status of executive positions in the city of Worcester. To the committee on Public Service.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

Firearms  
denials,  
appeals  
costs.

By Mr. Ayers of Quincy (by request), petition (subject to Joint Rule 12) of Donald R. Kusser relative to recovering legal costs for appeals to denials of firearms permits.

Foreign  
judgments,  
enforcement.

By Ms. Balser of Newton, petition (subject to Joint Rule 12) of Ruth B. Balser for legislation to establish a system of uniform enforcement of foreign judgments.

Maternity  
leave,  
creditable  
service.

By Mr. Casey of Winchester (by request), petition (subject to Joint Rule 12) of Evangeline Kariadakis relative to granting additional creditable service for non-public educators for time lost during maternity leave.

Pupils,  
transportation.

By Mr. Evangelidis of Holden, petition (subject to Joint Rule 12) of Lewis G. Evangelidis and Harriette L. Chandler for legislation to provide an income tax deduction for transporting certain pupils.

Public ways,  
railing  
defects.

By Mr. Kafka of Sharon, petition (subject to Joint Rule 12) of Louis L. Kafka relative to insurance claims resulting from railing defects on public ways maintained by the Commonwealth.

Workers  
compensation  
insurance.

By Mr. Rodrigues of Westport, petition (subject to Joint Rule 12) of Michael E. Festa and others relative to the suspension of a license to operate a motor vehicle of persons who fail to carry workers' compensation insurance.

Departmental  
appropriations,  
transfer.

By Mr. Turner of Dennis, petition (subject to Joint Rule 12) of Cleon H. Turner relative to authorizing municipalities to transfer certain appropriations during the last two months of a fiscal year.

Minors,  
drug  
overdoses.

By Mr. Wallace of Boston, petition (subject to Joint Rule 12) of Brian P. Wallace relative to mandatory reporting by physicians of the treatment of minors for drug overdoses.

Oxycontin,  
prescriptions.

By the same member, petition (subject to Joint Rule 12) of Brian P. Wallace relative to requiring pain management therapy prior to the issuance of a prescription for oxycontin.

Severally, under Rule 24, to the committee on Rules.

*Paper from the Senate.*

Oxford,  
liquor  
license.

A Bill authorizing the town of Oxford to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2161) (on Senate, No. 2067), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Report of a Committee.*

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing the Hatfield Economic Development Corporation (Senate, No. 2153) be scheduled for consideration by the House.

Hatfield  
Economic  
Development  
Corporation.

Under suspension of the rules, on motion of Mr. Kocot of Northampton, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed, in concurrence.

*Engrossed Bills.**Engrossed bills*

Amending the designation of a certain overpass in the city of New Bedford (see House, No. 3838); and

Bills  
enacted.

Authorizing the town of Dracut to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (see House, No. 4276);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

*Orders of the Day.**House bills*

Authorizing the town of Dennis to establish a beach capital improvement fund (House, No. 4154); and

Third  
reading  
bills.

Relative to the board of the public works of the town of Norfolk (House, No. 4242);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

*Order.*

On motion of Mr. Rushing of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next  
sitting.

At thirteen minutes after eleven o'clock A.M., on further motion of Mr. Rushing (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.